

Notice of Allowability

Application No.

10/695,525

Examiner

Carlos Lugo

Applicant(s)

ROMIG, JOEL ANDREW

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed on November 17, 2005.
2. ☒ The allowed claim(s) is/are 5-7,9,11,12,14 and 16-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on November 17, 2005.

Allowable Subject Matter

2. **Claims 5-7,9,11,12,14, and 16-27 are allowed.**

Reasons For Allowance

3. The following is an examiner's statement of reasons for allowance:

Claims 5,7,12, and 18 are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the latch actuator engages the actuated ends to pivotally move the first and second arms out of engagement with the catch housing (claim 5) and that the catch housing define slotted openings so that the latching ends extends and engage the slotted openings (claims 7,12 and 18).

Kinsey (US 621,574) discloses an assembly comprising a fixed member and a sliding member. A latch housing (5) is secured to the sliding member. A latch assembly is movably secured to the latch housing and releasable secured to the catch housing (a). The latch assembly comprises a first and second latch arms (b and b¹) biased into engagement with the catch. The latch arms include a first actuated end, a second latching end and an elongated body portion extending between the ends. Each arm comprises a pivot pin (1) extending through the elongated body.

However, Kinsey fails to disclose that the latch actuator engages the actuated ends to pivotally move the first and second arms out of engagement with the catch housing. Kinsey discloses that by moving out of engagement the actuator with the first and second arms, the latch arms are drawn out of engagement with the catch housing.

Smith (US 1,143,653) discloses a latch actuator (12,35 and 36) being movable relative to the housing and into engagement with the actuator ends of the latch arms so as to pivot the latch arms out of engagement with the catch housing (17 and 18). The latch actuator permits the sliding member to be slidably moved away from the fixed member.

However, Smith fails to disclose that each latch arm comprises a pivot pin so that each latch arm pivot at their respective pivot pin. Smith discloses the use of only one pivot pin for both latch arms.

As to claims 7,12 and 18, neither Smith nor Kinsey disclose that the catch housing define slotted openings so that the latching ends extends and engage the slotted openings.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo
AU 3676

January 12, 2006.



**BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER**